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TECHNOLOGY CENTER R3700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hurley, et al.) Examiner: T. Bui
)
Serial No.: 10/057,341) Art Unit: 3752
)
Filed: January 24, 2002)
)

**For: LOW NOx LIQUID FUEL OIL ATOMIZER SPRAY PLATE AND
FABRICATION METHOD THEREOF**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United State Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 8, 2004.

By:

Carol Prentice
Carol Prentice

RESPONSE

Dear Sir:

This Response is responsive to the Office Action mailed on March 15, 2004.

The Examiner has rejected claims 1-28 under the judicially created doctrine of obviousness type double patenting as being unpatentable over U.S. patent no. 6,024,301 to Hurley.

U.S. patent no. 6,024,301 is commonly owned by the assignee of the present invention, Combustion Components Associates, Inc. A Terminal Disclaimer is submitted herewith to overcome the double patenting rejection based

on U.S. patent no. 6,024,301. Withdrawal of the double patenting rejection is respectfully requested.

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,



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ATTORNEY DOCKET NO.: CCA-114

Date: June 8, 2004